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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/767,610

01/29/2004

David K. Williams

5196

7590

11/30/2005

David K. Williams

#19

12290 Highway 181 South
San Antonio, TX 78223

EXAMINER

GORMAN, DARREN W

ART UNIT

PAPER NUMBER

3752

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Tulsa

Office Action Summary	Application No. 10/767,610	Applicant(s) WILLIAMS, DAVID K.	
	Examiner Darren W. Gorman	Art Unit 3752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,11 and 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Minor Claim Suggestions By Examiner

1. The following change(s) are recommended to improve clarity of the claims. The claims have been examined on the merits including the suggested changes below.

In claim 7, on line 4, "a second spray" should be changed to --the second spray--, since claim 1 provides antecedent basis to the "second spray".

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claim 17 remains rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As set forth in the office action mailed June 2, 2005, the recitation, "the adapter assembly" in claim 17 does not have proper antecedent basis. Amending claim 17 to be dependent on either of claims 15 or 16 would overcome this rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 4, 5, 7-9, 11, 13, 15, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Petty, USPN 5,671,889.

Petty shows a spraying system comprising a first pump (32) and second pump (33), a storage tank (51), and a wand assembly (13) coupled to the first pump and the second pump, wherein the wand assembly produces a spray of a first liquid and a spray of a second liquid that is directed towards the spray of the first liquid (see column 4, lines 46-48). Petty further shows an engine (25) drivingly coupled to the first pump (see column 3, lines 33-37). Further, Petty shows the wand assembly (see Figures 4 and 6) comprising a first wand (301) in fluid communication with the first pump and a second wand (300) secured to the first wand by a bracket (99), the second wand being in fluid communication with the second pump, wherein the first wand controls a flow of the first liquid from the first pump to the first wand (see Figure 4; and column 3, lines 31-37) and the second wand includes a control for controlling a flow of the second liquid from the second pump to the second wand, wherein the control for controlling flow of the second liquid comprises an isolation valve (270) (see Figure 4; and column 7, lines 24-27). Petty also shows an adapter assembly comprising adapter fittings (98) removably secured to the first wand and the second wand (see Figure 6), wherein the adapter assembly includes a first orifice (250) and a second orifice (19), wherein the flow of second liquid is directed through the first orifice to produce the second spray that is directed toward the first spray, the first spray being produced by the second orifice.

Regarding claim 18, the "method of manufacturing" steps recited are anticipated by the system shown by Petty, as discussed above.

Regarding the recitations of the first wand as being a “pressure washer wand” producing “high-pressure spray” and the second wand as being a “low-pressure wand”, the disclosure of Petty expressly discusses a pressure regulating system for regulating the pressure of the fluid being pumped by the first and second pumps and hence the pressure of the liquid being sprayed through the first and second orifices, and that the pressure regulating system can be adjusted by the operator to control the output pressure of the first and second liquids, such adjustments being made based on several factors including, for example, nozzle size, fluid viscosity, air temperature, and characteristics of the fluids being sprayed (see column 5, lines 3-9).

The “pressure washing system” and “kit for modifying a pressure washing system” recitations of the preamble have not been given patentable weight because a preamble is denied the effect of a limitation where the claim is drawn to a structure and the portion of the claim following the preamble is a self-contained description of the structure not depending for completeness upon the introductory clause. Further, there is nothing that precludes the spraying system shown by Petty from being used as a pressure washer, since each of the essential structural limitations of applicant’s pressure washing system is anticipated by the disclosure of Petty, and one having ordinary skill in the art would recognize that the choice of liquids to be sprayed from the system of Petty would be nothing more than selections based on intended use of the apparatus.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Petty.

Petty shows all of the claimed limitations as recited in claim 15, however the connection between the adapter fitting (98) and the first wand (301) is not expressly disclosed as a “quick coupling”.

It is old and well known in the art to use a “quick coupling” connector for connecting two fluid handling elements together, such that a reliable, fluid-tight connection is made and assembly or disassembly is quick and easy. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a quick coupling connector for connecting the adapter fitting to the first wand, since quick coupling connectors are old and well known in the art for providing reliable, fluid-tight connections, while allowing for easy assembly or disassembly.

8. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petty, in view of Hewett, USPN 3,997,114.

Petty shows all of the claimed limitations as set forth in claims 5 and 13, however Petty does not expressly teach the second wand as including a throttle valve (149) for throttling the flow of the second liquid through the second wand.

Hewett shows a spraying system (see Figure 10) having two wands (B, 141; and C, 148) connected in parallel for simultaneously spraying two separately supplied liquids such that the

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liquids co-mingle at a point beyond the outlets of each wand, wherein at least one wand includes a throttle valve (149) which permits fine metering of a liquid being delivered to its respective outlet, such that a user may adjust the quantity of liquid to be sprayed (see column 8, lines 7-10).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a throttle valve, as taught by Hewett, with the second wand shown by Petty, in order to finely meter the quantity of the second liquid flowing through the second wand to the first orifice, as desired by the user with a specific result in mind.

Response to Arguments

9. Applicant's arguments as set forth on pages 6-8 of the reply filed November 3, 2005, with respect to claims 1, 2, 4, 7-9, 11 and 18 as not being anticipated by the Hewett reference have been considered but are moot in view of the new ground(s) of rejection as set forth above.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

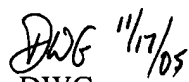
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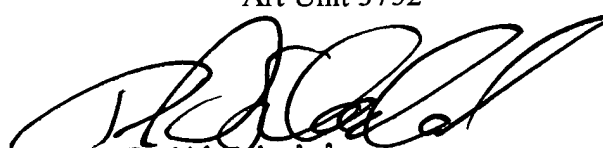
CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Gorman whose telephone number is 571-272-4901. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel can be reached on 571-272-4919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DWG
November 17, 2005

Darren W Gorman
Examiner
Art Unit 3752

David A. Scherbel
Supervisory Patent Examiner
Group 3700